

ALEXANDER J. HADJIS (pro hac vice)  
Alexander.Hadjis@cwt.com  
CADWALADER, WICKERSHAM & TAFT LLP  
700 Sixth Street, N.W.  
Washington, D.C. 20001  
Telephone: (202) 862-2323  
Facsimile: (202) 862-2400

RUDY Y. KIM (CA SBN 199426)  
RudyKim@mofo.com  
ALAN COPE JOHNSTON (CA SBN 66334)  
ACJohnston@mofo.com  
MORRISON & FOERSTER LLP  
755 Page Mill Road  
Palo Alto, California 94304  
Telephone: (650) 813-5600  
Facsimile: (650) 494-0792

JOSHUA A. HARTMAN (pro hac vice)  
JHartman@mofo.com  
MORRISON & FOERSTER LLP  
2000 Pennsylvania Avenue, NW  
Suite 6000  
Washington, DC 20006  
Telephone: (202) 887-1500  
Facsimile: (202) 887-0763

Attorneys for Defendant-Counterclaimant  
FREESCALE SEMICONDUCTOR, INC.

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**OAKLAND DIVISION**

MEDIATEK INC.,

Plaintiff,

v.

FREESCALE SEMICONDUCTOR, INC.,

Defendant.

Civil Action No. 4:11-cv-05341 (YGR)

**DECLARATION OF MARK PATRICK  
IN SUPPORT OF MEDIATEK INC.'S  
STIPULATED ADMINISTRATIVE  
MOTION TO FILE DOCUMENTS  
UNDER SEAL, DOCKET NO. 323  
[REVISED DKT. NO. 323-15]**

1 I, Mark Patrick, declare as follows:

2 1. I am Law Director, Intellectual Property for Freescale Semiconductor, Inc.  
3 (Freescale). I submit this declaration in support of MediaTek's Stipulated Administrative Motion  
4 to File Documents Under Seal (Motion to Seal), Dkt. No. 323, pursuant to Local Rules 7-11 and  
5 79-5, with respect to the revised Exhibit 3 to the Declaration of Brett Hammon in support of  
6 MediaTek's Opposition to Freescale's Motion to Exclude Testimony of Catharine M. Lawton  
7 (Exhibit 3 to the Hammon Declaration), Dkt. No. 323-15. I have personal knowledge of the facts  
8 set forth in this declaration and, if called to testify as a witness, could and would do so  
9 competently.

10 2. **Information Concerning Freescale's Accused Products, Sales, Projected**  
11 **Profits, Licensing, and Marketing.** MediaTek filed a Notice of Erratum in Exhibit Submitted In  
12 Support of MediaTek's Opposition to Freescale's Motion to Exclude Testimony of Catharine M.  
13 Lawton, Dkt. No. 375, and attached the revised Exhibit 3 to the Hammon Declaration, Dkt. No.  
14 323-15. Freescale's proposed redactions to the revised Exhibit 3 are attached as Exhibit A to this  
15 declaration.

16 3. The highlighted portions of Exhibit 3 to the Hammon Declaration, Excerpts to  
17 Expert Report of Brett Reed, discuss highly confidential information about third parties' end  
18 products incorporating Freescale accused products and how technology is implemented on those  
19 products, party-specific royalty rates, Freescale's sales revenues and projected profits, Freescale's  
20 practices with convoyed sales, and the application of proposed royalty rates to Freescale's  
21 revenues. This confidential information had been derived from documents produced by Freescale  
22 to MediaTek and conversations on technical features of Freescale's accused products disclosed in  
23 the Expert Report of Brett Reed, both of which had been designated "Highly Confidential –  
24 Attorneys' Eyes Only." Public disclosure of this information would significantly harm Freescale  
25 by revealing detailed information about technical features of Freescale's accused products;  
26 Freescale's royalty rates; Freescale's detailed sales figures, projected profits, and transactions for  
27 Freescale's accused products; and Freescale's marketing practices with respect to convoyed sales  
28 to third parties. Freescale's competitors could obtain a detailed understanding of Freescale's

1 accused products, licensing, sales, and marketing by reviewing such confidential information.  
2 The requested relief is necessary and narrowly tailored to protect the confidentiality of this  
3 information. Freescale therefore requests that the Court seal the portions of Exhibit 3 to the  
4 Hammon Declaration that Freescale has proposed be redacted.

5 I declare under penalty of perjury under the laws of the United States of America that the  
6 foregoing is true and correct. Executed this 23rd day of December, 2013, at Austin, Texas.

7  
8 /s/ Mark Patrick  
Mark Patrick

9  
10 **ATTESTATION OF E-FILED SIGNATURE**

11 I, Michelle Yang, am the ECF User whose ID and password are being used to file this  
12 Stipulation. In compliance with General Order 45, X.B., I hereby attest that Mark Patrick  
13 concurred in this filing.

14 Dated: December 24, 2013

/s/ Michelle Yang  
Michelle Yang